

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

JAMES G. MALONEY

Criminal No.

1:16-cr-00237-AT-JSA

**Government's Supplemental Brief in Opposition to
Defendant's Motion to Compel**

The Government files this brief to explain the criteria it used in determining what classified information to produce to the defense. Based upon Defendant Maloney's Section 5 notice (and the revisions that followed, including his document requests and his allegation that certain individuals currently or formerly associated with the Intelligence Community might have information that would support his defense), counsel for the Government asked the CIA to conduct a prudential search of the files maintained by the relevant CIA Directorate that contracted with GTRI to determine whether it has any documents (classified or unclassified) that are relevant to this case. Specifically, counsel for the Government asked for any information pertaining to Defendant Maloney or either of his two co-conspirators (James Fraley and James Acree) and asked that the search include their names, dates of birth, social security numbers, telephone numbers, home and business addresses, and known email addresses. The Government reviewed everything that was located by that search and

produced information it deemed discoverable, consistent with its standard discovery obligations.

Counsel for the Government traveled to CIA headquarters and reviewed the CIA's contract file for contract D-6308 and produced copies of all relevant documents that had not already been produced from GTRI's files.

Counsel for the Government interviewed certain individuals identified by Defendant Maloney to determine whether they have any knowledge or information pertaining to the allegations in Defendant Maloney's Section 5 notice. The Government produced the FBI's written reports of all of those interviews.

The Government has also requested all emails maintained by the CIA concerning Defendant Maloney. The emails that were returned from that system search have been reviewed, and those that are discoverable will be produced.

RESPECTFULLY SUBMITTED,

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CERTIFICATE OF SERVICE

I hereby certify that, on February 2, 2018, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system.

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